

Senate Joint Resolution No. 15

Adopted in Senate May 25, 2006

Secretary of the Senate

Adopted in Assembly May 11, 2006

Chief Clerk of the Assembly

This resolution was received by the Secretary of State this
_____ day of _____, 2006, at _____
o'clock ____M.

Deputy Secretary of State

RESOLUTION CHAPTER _____

Senate Joint Resolution No. 15—Relative to teachers.

LEGISLATIVE COUNSEL'S DIGEST

SJR 15, Dutton. Retirement benefits: teachers.

This measure would request the President and the Congress of the United States to enact the Social Security Fairness Act of 2006, which would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

WHEREAS, After 1965, California's educators were not allowed to participate in the federal social security system; and

WHEREAS, Due to higher contribution rates and superior investment returns, the California State Teachers' Retirement System provides retirees with superior benefits compared to those provided by the federal social security system; and

WHEREAS, The State Teachers' Retirement System is not coordinated with the federal social security system; and

WHEREAS, The Social Security Act includes two offsets, the Government Pension Offset and the Windfall Elimination Provision, that reduce the social security benefits payable to persons who are entitled to benefits under other retirement systems, under certain conditions; and

WHEREAS, These provisions penalize individuals who move from private sector employment to teaching and vice versa; and

WHEREAS, These provisions penalize individuals who earned social security benefits through their own employment prior to teaching; and

WHEREAS, California has a significant teacher shortage and requires more than 16,000 new teachers per year to meet enrollment growth needs as well as retirement replacement; and

WHEREAS, Every child should have the opportunity to have a highly qualified teacher in his or her classroom, but the Social Security Act offsets limit the number of fully credentialed teachers in the classroom by penalizing individuals who change from private to public employment; and

WHEREAS, The recruitment and retention of teachers from other states who are entitled to social security benefits upon retirement is also limited and restricted by these offsets; and

WHEREAS, The Social Security Fairness Act of 2006, which would repeal the Government Pension Offset and the Windfall Elimination Provision, is currently before Congress; and

WHEREAS, The elimination of the Government Pension Offset and the Windfall Elimination Provision would greatly improve the opportunities for hiring and retaining teachers in California; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California requests the Congress of the United States to support the Social Security Fairness Act of 2006 which would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, and further, the Legislature of the State of California requests President George W. Bush to sign that legislation; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

Attest:

Secretary of State